

United States Bankruptcy Court
Western District of New York

In re:
The Diocese of Buffalo, N.Y.
Debtor

Case No. 20-10322-CLB
Chapter 11

District/off: 0209-1
Date Rcvd: Dec 15, 2023

User: admin
Form ID: pdforder

Page 1 of 28
Total Noticed: 6

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 17, 2023:

| Recip ID | Recipient Name and Address |
|----------|---|
| db | + The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215 |
| aty | + Gleichenhaus, Marchese & Weishaar, PC, 43 Court Street, Suite 930, Buffalo, NY 14202-3100 |
| pr | + Charles Mendolera, c/o The Diocese of Buffalo, N.Y., 795 Main Street, Buffalo, NY 14203-1215 |
| sp | + Chelus, Herdzik, Speyer & Monte. P.C., 438 Main Street, Tenth Floor, Buffalo, NY 14202-3210 |
| ntcapr | + Official Committee of Unsecured Creditors, c/o Pachulski Stang Ziehl & Jones LLP, Attn: J. Stang, I. Scharf, S. Golden, 780 Third Avenue, 34th Floor, New York, NY 10017-2024 |

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|---|----------------------|---|
| smg | + Email/Text: ustpregion02.bu.ecf@usdoj.gov | Dec 15 2023 18:26:00 | Office of the U.S. Trustee, 300 Pearl Street, Suite 401, Olympic Towers, Buffalo, NY 14202-2523 |

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 17, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 15, 2023 at the address(es) listed below:

Name Email Address

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on behalf of Interested Party Century Indemnity as successor in interest to Insurance Company of North America, as successor in interest to Indemnity Insurance Company of North America ahaberkorn@omm.com, adam-haberkorn-2269@ecf.pacerpro.com

Adam P. Haberkorn on behalf of Interested Party Pacific Employers Insurance Company ahaberkorn@omm.com adam-haberkorn-2269@ecf.pacerpro.com

Adam P. Haberkorn on behalf of Interested Party Aetna Insurance Company f/k/a CIGNA Property & Casualty Insurance Company and n/k/a ACE Property & Casualty Insurance Company ahaberkorn@omm.com adam-haberkorn-2269@ecf.pacerpro.com

Adam P. Haberkorn on behalf of Interested Party U.S. Fire Insurance Company ahaberkorn@omm.com adam-haberkorn-2269@ecf.pacerpro.com

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Adam Ross Durst on behalf of Notice of Appearance Creditor Employers Insurance Company of Wausau (formerly known as Employers Insurance of Wausau A Mutual Company formerly known as Employers Mutual Liability Insurance Company of Wisconsin) adurst@goldbergsegalla.com

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Adam Ross Durst on behalf of Notice of Appearance Creditor Wausau Underwriters Insurance Company adurst@goldbergsegalla.com

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TOTAL: 603

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:) Chapter 11 Case
THE DIOCESE OF BUFFALO, N.Y.,) Case No. 20-10322
Debtor.)

**ORDER GRANTING SEVENTH APPLICATION FOR INTERIM COMPENSATION
AND REIMBURSEMENT OF EXPENSES OF CHELUS, HERDZIK, SPEYER &
MONTE PC AS SPECIAL COUNSEL TO THE DIOCESE**

Upon consideration of the *Seventh Application for Interim Compensation and Reimbursement of Expenses of Chelus, Herdzik, Speyer & Monte, P.C., as Special Counsel for the Diocese* [Docket No. 2583] (the “Chelus Seventh Interim Fee Application”),¹ and the Court being fully advised in the premises and a hearing having been held before the Court on December 13, 2023 to consider the Chelus Seventh Interim Fee Application (the “Hearing”):

IT IS HEREBY FOUND AND DETERMINED THAT:

- A. The Court has jurisdiction to consider the Chelus Seventh Interim Fee Application and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334.
- B. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
- C. Venue is proper pursuant to 28 U.S.C. § 1409.
- D. Proper and adequate notice of the Chelus Seventh Interim Fee Application and the Hearing was given and no other or further notice is required.
- E. The services provided by Chelus, Herdzik, Speyer & Monte PC (“Chelus”) during the period from February 1, 2023 through July 31, 2023 (the “Seventh Interim Compensation

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Chelus Seventh Interim Fee Application.

Period”), as set forth in the Chelus Seventh Interim Fee Application, were reasonable, necessary and beneficial to the chapter 11 estate of The Diocese of Buffalo, N.Y. (the “Diocese”).

F. The compensation requested in the Chelus Seventh Interim Fee Application is fair and reasonable given: (a) the complexity of tasks assigned; (b) the time expended; (c) the nature and extent of the services rendered; (d) the value of the services rendered; and (e) the costs of comparable services.

G. The expense reimbursement sought in the Chelus Seventh Interim Fee Application represents actual and necessary expenses incurred in connection with this chapter 11 case.

H. The legal and factual bases set forth in the Chelus Seventh Interim Fee Application and at the Hearing establish just cause for the relief granted herein.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Chelus Seventh Interim Fee Application is granted as set forth herein.

2. Any objections to the Chelus Seventh Interim Fee Application, or to the compensation and expense reimbursement sought therein, that have not been made, withdrawn, waived, or settled on the record at the Hearing, and all reservations of rights included therein, are hereby overruled and disallowed on the merits.

3. Chelus’ fees for professional services rendered during the Seventh Interim Compensation Period are allowed on an interim basis in the amount of \$16,038.50.

4. Reimbursement of Chelus’ expenses incurred during the Seventh Interim Compensation Period is allowed on an interim basis in the amount of \$1,536.90.

5. The Diocese is authorized and directed to promptly pay to Chelus the fees and expenses allowed herein less any amounts previously paid to Chelus pursuant to the *Order*

Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees [Docket No. 362].

6. All fees and expenses allowed herein shall remain subject to final approval by the Court upon further application pursuant to 11 U.S.C. § 330(a)(5).

7. Notwithstanding the possible applicability of Bankruptcy Rules 6004(h), 7062, 9014 or otherwise, this Order shall be effective and enforceable immediately upon its entry. Any subsequent modification or vacatur of this Order shall not invalidate or impair any actions taken pursuant to this Order prior to such modification or vacatur.

8. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation, interpretation and enforcement of this Order.

Dated: Dec 15, 2023
Buffalo, New York



Honorable Carl L. Bucki
Chief United States Bankruptcy Judge

